

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
SEPTEMBER 23, 2009**

A public hearing was held on Wednesday, September 23, 2009, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor William J. Schmitt called the hearing to order at 6:50 p.m.

**Roll Call.**

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prectel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Absent
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. Six of the seven council members were in attendance which is a majority; therefore, there was a quorum for the hearing.

**Pledge.** Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

**Purpose.** Mayor Schmitt said the purpose of the public hearing is to receive public input concerning the petition of Jasper Leasing Company, Inc to vacate a portion of the former Second Street.

A notice concerning the public hearing appeared in the Herald on September 11, 2009. A notice was posted at City Hall and faxed to the news media.

City Attorney Sandra Hemmerlein showed an old aerial photo of the former 2<sup>nd</sup> Street. In 1999 when South Newton Street was being re-aligned there was an agreement among Dubois County, the City of Jasper and Jasper Leasing Company Inc to swap certain property in that area. The property was supposed to be transferred to Jasper Leasing but Mike Hochgesang recently discovered when paying his property taxes that the transfer did not occur. Hemmerlein said after researching the matter, it was decided that it would be better to vacate a portion of the former 2<sup>nd</sup> Street rather than transfer property. The vacated property goes to the adjoining property owners, which in this case is owned by Hochgesang.

Mayor Schmitt then asked for public comments. No public comments were received.

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Thomas Schmidt to close the public hearing. The motion carried 6-0 and the hearing closed at 6:57 p.m.

The minutes were hereby approved \_\_\_\_ with   X   without corrections or clarification this 21<sup>st</sup> day of October, 2009.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary